

EXHIBIT A



State of Alabama Unified Judicial System Form ARCiv-93 Rev. 9/18	COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases)	Ca: 40 Date of Filing: 11/12/2019 JUDGE: JUDGE JUDGE CODE: JUDGE CODE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA MARY ANN JONES, CLERK
GENERAL INFORMATION		
IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA ISA RENEE SPRUIELL AS PERSONAL REPRESENTATIVE OF JAMES LAWSON SPRUIELL, DECEASED ET AL v.		
First Plaintiff: <input type="checkbox"/> Business <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other First Defendant: <input checked="" type="checkbox"/> Business <input type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other		
NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:		
TORTS: PERSONAL INJURY <input checked="" type="checkbox"/> WDEA - Wrongful Death <input type="checkbox"/> TONG - Negligence: General <input type="checkbox"/> TOMV - Negligence: Motor Vehicle <input type="checkbox"/> TOWA - Wantonness <input type="checkbox"/> TOPL - Product Liability/AEMLD <input type="checkbox"/> TOMM - Malpractice-Medical <input type="checkbox"/> TOLM - Malpractice-Legal <input type="checkbox"/> TOOM - Malpractice-Other <input type="checkbox"/> TBFM - Fraud/Bad Faith/Misrepresentation <input type="checkbox"/> TOXX - Other: _____	OTHER CIVIL FILINGS (cont'd) <input type="checkbox"/> MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve <input type="checkbox"/> CVRT - Civil Rights <input type="checkbox"/> COND - Condemnation/Eminent Domain/Right-of-Way <input type="checkbox"/> CTMP - Contempt of Court <input type="checkbox"/> CONT - Contract/Ejectment/Writ of Seizure <input type="checkbox"/> TOCN - Conversion <input type="checkbox"/> EQND - Equity Non-Damages Actions/Declaratory Judgment/ Injunction Election Contest/Quiet Title/Sale For Division <input type="checkbox"/> CVUD - Eviction Appeal/Unlawful Detainer <input type="checkbox"/> FORJ - Foreign Judgment <input type="checkbox"/> FORF - Fruits of Crime Forfeiture <input type="checkbox"/> MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition <input type="checkbox"/> PFAB - Protection From Abuse <input type="checkbox"/> EPFA - Elder Protection From Abuse <input type="checkbox"/> FELA - Railroad/Seaman (FELA) <input type="checkbox"/> RPRO - Real Property <input type="checkbox"/> WTEG - Will/Trust/Estate/Guardianship/Conservatorship <input type="checkbox"/> COMP - Workers' Compensation <input type="checkbox"/> CVXX - Miscellaneous Circuit Civil Case	
TORTS: PERSONAL INJURY <input type="checkbox"/> TOPE - Personal Property <input type="checkbox"/> TORE - Real Property	OTHER CIVIL FILINGS <input type="checkbox"/> ABAN - Abandoned Automobile <input type="checkbox"/> ACCT - Account & Nonmortgage <input type="checkbox"/> APAA - Administrative Agency Appeal <input type="checkbox"/> ADPA - Administrative Procedure Act <input type="checkbox"/> ANPS - Adults in Need of Protective Services	
ORIGIN: F <input checked="" type="checkbox"/> INITIAL FILING A <input type="checkbox"/> APPEAL FROM DISTRICT COURT O <input type="checkbox"/> OTHER R <input type="checkbox"/> REMANDED T <input type="checkbox"/> TRANSFERRED FROM OTHER CIRCUIT COURT		
HAS JURY TRIAL BEEN DEMANDED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)		
RELIEF REQUESTED: <input checked="" type="checkbox"/> MONETARY AWARD REQUESTED <input type="checkbox"/> NO MONETARY AWARD REQUESTED		
ATTORNEY CODE: WOR001 11/12/2019 4:46:28 PM /s/ MICHAEL A. WOREL Date Signature of Attorney/Party filing this form		
MEDIATION REQUESTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNDECIDED		
Election to Proceed under the Alabama Rules for Expedited Civil Actions: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		



IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA

LISA RENEE SPRUIELL,
Individually and as personal
representative of the heirs and estate of
JAMES LAWSON SPRUIELL, deceased;
and KIMBERLY AULD, Individually and
as personal representative of the heirs
and estate of JOHN WESLEY "TREY"
AULD III, deceased,

Plaintiffs,

v.

AIR METHODS, CORP., a Delaware
Corporation, dba ALABAMA LIFE
SAVER,

Defendant.

CIVIL ACTION NUMBER

COMPLAINT

COMES NOW Plaintiffs do hereby allege and state:

I.

PARTIES, JURISDICTION, VENUE AND GENERAL ALLEGATIONS

1. This Complaint is for damages arising from the deaths of James Lawson Spruiell (“James Spruiell”) and John Wesley “Trey” Auld III (“Trey Auld”) while acting as a Medivac on a Part 135 non-scheduled air medical flight that crashed in Suttgart, Arkansas County, State of Arkansas, on November 19, 2017, which caused the deaths of a James Spruiell and Trey Auld from acts, conduct, occurrences, transactions, and circumstances which, if death had not ensued, would have entitled James Spruiell and Trey Auld to recover damages in respect thereof.

2. James Spruiell was a resident and citizen of Sulligent, County of Lamar, State of Alabama and was married to Plaintiff Lisa Renee Spruiell (“Lisa Spruiell”), who is also a resident and citizen of Sulligent, County of Lamar, State of Alabama. Plaintiff Lisa Spruiell has been appointed personal representative of the estate of James Spruiell in a July 16, 2018 order from the Alabama Probate Court of Lamar County, and represents herself and the legal heirs of James Spruiell, including son Jacob Spruiell, daughter Madison Spruiell, step-son Nathan McGriff, to whom James Spruiell stood in loco parentis, and step-daughter Danielle Atkinson, to whom James Spruiell stood in loco parentis.

3. Trey Auld was a resident and citizen of Shreveport, Louisiana and was the son of Plaintiff Kimberly Auld (“Kim Auld”), who is also a resident and citizen of Shreveport, Louisiana. Plaintiff Kim Auld has been appointed personal representative of the estate of Trey Auld in Arkansas County, Arkansas, and represents herself and the legal heirs of Trey Auld.

4. Defendant LifeSaver is an emergency helicopter transportation service that has been operating in Alabama for several years. Defendant Air Methods, Corporation (“Air Methods”) purchased it in 2009. Defendant Air Methods is a corporation existing under the laws of the State of Delaware, with a principal place of business in Alabama, under the name LifeSaver. At all relevant times, Air Methods was doing business in the State of Alabama, has a principal place of business in Alabama and has systematic contacts within the State of Alabama. Air Methods has a registered agent in Alabama. Air Methods operations in Alabama are substantial and of such a nature as to render Air Methods at home in the State of Alabama.

5. Venue is proper in Lamar County, Alabama, pursuant to Ala. Code 1975 § 6-3-7 (3) in that the Plaintiff resides in Lamar County

6. Many of the injuries occurred in Alabama.

7. This action is brought pursuant to the Alabama Wrongful Death Statute (Ala. Code 1975, § 6-5-410 et seq.) and/or related statutes and/or common law and/or any and all applicable laws of the state of Alabama.

II.

FACTUAL ALLEGATIONS

8. On November 19, 2017, about 6:55 p.m. central standard time, a Bell 407 helicopter, N620PA, crashed on a reservoir bank near Stuttgart, Arkansas.

9. The Bell 407 was owned and operated by Defendant Air Methods, and was being piloted by Michael Todd Bollen, who was also employed by Defendant Air Methods.

10. The helicopter was registered to and operated by Air Methods Corporation under the provisions of Title 14 Code of Federal Regulations (CFR) Part 135.

11. The decedents James Spruiell and Trey Auld were medical crewmembers and were employed by Pafford Emergency Medical Services.

12. Visual meteorological conditions prevailed for the positioning flight, which was operated on a company visual flight rules flight plan. The flight originated from Pine Bluff, Arkansas, at 1820 and was in-route to pick up a patient in Helena, Arkansas, proceeding through the Arkansas Grand Prairie, near and around Stuttgart, Arkansas.

17. Defendant Air Methods was required to perform a preflight risk assessment that includes strategies and procedures for mitigating identified risks and determine the safe cruise altitude by evaluating obstacles that may exist along the planned route of flight.

18. Defendant Air Methods had many resources available to it to avoid bird strikes, such as the Avian Hazard Advisory System, the FAA Wildlife Strike Database and the US Air Force developed a Bird Avoidance Model (BAM).

13. It is well known and well understood that the area of Stuttgart, Arkansas is both the water fowl and rice capitals of the world. It is located in the Arkansas Grand Prairie where the commercial production of rice was pioneered in 1904 and led to Arkansas's status as the top rice producing state in the U.S.

14. Rice fields and irrigation reservoirs entice the annual migration of ducks and geese on the Mississippi Flyway to linger, making the area nationally renowned among waterfowl hunters, especially during the month of November.

15. It is also well known and understood in the aviation industry that 90% of all bird strikes happen below 3,000 feet above ground level. As such, the Federal Aviation Authority ("FAA") urges pilots to minimize en-route flying at lower altitudes during migration, and to remain especially vigilant in charted wildlife refuges and other natural areas contain unusually high local concentration of birds which may create a hazard to aircraft.

16. For eastbound helicopter traffic, a flight plan should include flying at 4,000 feet above ground level.

17. The helicopter was transmitting its position to the company via satellite communications. At 1855:50, the helicopter transmitted that it was heading 070°, traveling 116 knots at 1,252 ft mean sea level, or 1,075 feet above ground level. This was the last recorded data point.

18. Defendant Air Methods initiated a search when satellite tracking was lost, and the wreckage was located several hours later.

19. At the time of the crash, both the sun and the moon were more than 15° below the horizon, and dark night conditions existed with no illumination from the moon. The nearest areas of cultural light were over 13 miles away.

20. The helicopter was found on the bank of a reservoir on its right side on a heading about 205°. During the on-scene portion of the investigation, numerous geese, ducks, and cranes were observed in the reservoir and at another nearby reservoir.

21. Multiple bird remains were found from the cockpit area to the first bulkhead. Samples from the bird remains were sent to the Feather Identification Laboratory, Smithsonian Institution, National Museum of Natural History, Washington, DC.

22. An eye witness saw the helicopter fly over and then heard thousands of snow geese take flight because of the noise of the helicopter. She then saw the helicopter lose control, crash and explode.

23. The Arkansas Crime Laboratory, Little Rock, Arkansas, conducted an autopsy on the pilot. The cause of death was multiple injuries. The autopsy noted white bird feathers embedded in the pilot's coveralls and right boot.

24. Samples submitted to the Smithsonian contained remains from snow geese, which typically have an average weight of 4.8 and 5.48 lbs for females and males.

25. A review of the FAA Wildlife Strike Database found a strike report for November 17, 2011, about 0705 central standard time; the pilot of a Cessna 210 airplane reported striking a snow goose near the area of the accident site.

26. The US Air Force developed a Bird Avoidance Model (BAM) that analyzes and correlates bird habitats, migration patterns, and breeding characteristics with key environmental and man-made geospatial data. This model is used by military pilots and planners to monitor bird activity for strike mitigation purposes. At dusk, the strike probability for the accident area was forecast to be severe.

27. Defendant had a previous bird strike in that area and knew that the area was hazardous due to the potential for bird strikes.

FIRST CAUSE OF ACTION
NEGLIGENCE

Plaintiffs repeat and incorporate herein the allegations of paragraphs 1 through 27 above.

28. Defendant Air Methods owed the duties of care to Decedents James Spruiell and to Trey Auld which included a duty among other requirements to properly monitor bird activity using BAM, Avian Hazard Advisory System, and/or the FAA Wildlife Strike Database and to dispatch its pilots with routes and at altitudes to void bird strikes and to train its pilots to avoid bird strikes and how to control their helicopters when struck by birds.

29. Defendant Air Methods was negligent in fulfilling its duties.

30. As a direct and proximate result of said acts, Decedents suffered fatal injuries, conscious pain and suffering, fear of impending death, mental anguish and

WHEREFORE, Plaintiffs Lisa Renee Spruiell, Individually and as personal representative of the heirs and estate of James Lawson Spruiell, deceased, and Kimberly Auld, Individually and as personal representative of the heirs and estate of John Wesley "Trey" Auld, III demand judgments against Defendant Air Methods, Corp. dba Alabama Life Saver for punitive damages plus interests and costs. Plaintiffs request that the jury selected to hear this case render a verdict for Plaintiffs and against Defendant, and award damages in the amount which will adequately reflect the enormity of the Defendant's wrong in causing and/or contributing to cause the death of James Lawson Spruiell, deceased, and John Wesley "Trey" Auld, III, deceased, and which will effectively prevent other similarly-caused deaths.

Respectfully submitted,

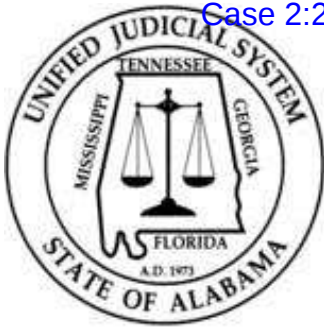


DEWSNUP KING OLSEN WOREL
HAVAS & MORTENSEN
MICHAEL A. WOREL (ASB-4492-
L69M)

Utah State Bar No. 6616
36 South State Street, Suite 2400
Salt Lake City, Utah 84111
(801) 533-0400
(801) 363-4218 FAX
mworel@dkolaw.com

MATTHEW LEDUKE
JONATHAN LOWE
LOWE MOBLEY LOWE & LEDUKE
P.O. BOX 819
HAMILTON, ALABAMA 35570
(251) 921-5296
(251) 921-9090 FAX
matt@lowemobleylowe.com
jbl@lowemobleylowe.com

Counsel for Plaintiffs



AlaFile E-Notice

40-CV-2019-900045.00

To: MICHAEL A. WOREL
docket@dkolaw.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA

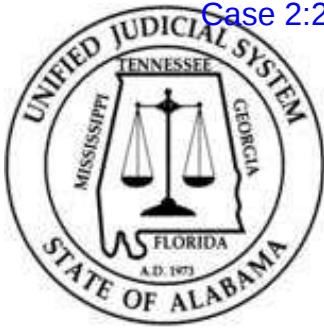
LISA RENEE SPRUIELL AS PERSONAL REPRESENTATIVE OF JAMES LAWSON SPRUIEL
40-CV-2019-900045.00

The following complaint was FILED on 11/12/2019 4:46:33 PM

Notice Date: 11/12/2019 4:46:33 PM

MARY ANN JONES
CIRCUIT COURT CLERK
LAMAR COUNTY, ALABAMA
P.O. BOX 434
VERNON, AL, 35592

205-695-7193



AlaFile E-Notice

40-CV-2019-900045.00

To: AIR METHODS, CORP., A DELAWARE CORPORATION, DBA
ALABAMA LIFE SAVER
2 NORTH JACKSON ST. #605
MONTGOMERY, AL, 36104

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA

LISA RENEE SPRUIELL AS PERSONAL REPRESENTATIVE OF JAMES LAWSON SPRUIEL
40-CV-2019-900045.00

The following complaint was FILED on 11/12/2019 4:46:33 PM

Notice Date: 11/12/2019 4:46:33 PM

MARY ANN JONES
CIRCUIT COURT CLERK
LAMAR COUNTY, ALABAMA
P.O. BOX 434
VERNON, AL, 35592

205-695-7193

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	SUMMONS - CIVIL -	Court Case Number 40-CV-2019-900045.00
--	------------------------------------	---

IN THE CIRCUIT COURT OF LAMAR COUNTY, ALABAMA
LISA RENEE SPRUIELL AS PERSONAL REPRESENTATIVE OF JAMES LAWSON SPRUIEL

NOTICE TO: AIR METHODS, CORP., A DELAWARE CORPORATION, DBA, ALABAMA LIFE SAVER 2 NORTH JACKSON ST. #605, MONTGOMERY, AL 36104

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
 MICHAEL A. WOREL

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: 36 S. State Street, Suite 2400, Salt Lake City, UT 84111

[Address(es) of Plaintiff(s) or Attorney(s)]

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.
☒ Service by certified mail of this Summons is initiated upon the written request of

LISA RENEE SPRUIELL AS
 PERSONAL
 REPRESENTATIVE OF JAMES
 LAWSON SPRUIELL,
 DECEASED

[Name(s)]

pursuant to the Alabama Rules of the Civil Procedure.

11/12/2019

(Date)

/s/ MARY ANN JONES

(Signature of Clerk)

By: _____

(Name)

☒ Certified Mail is hereby requested.

/s/ MICHAEL A. WOREL

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____
(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____
 _____ in _____ County,
(Name of Person Served)
(Name of County)

Alabama on _____
(Date)

(Type of Process Server)


(Server's Signature)


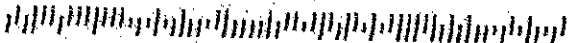
(Server's Printed Name)

(Address of Server)

(Phone Number of Server)



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits. CV 19-46</p> <p>1. Article Addressed to: Air Methods Corp A Delaware Corp dba Alabama Life Savers 2 N Jackson St #605 Montgomery, AL 36104</p>  <p>9590 9402 3312 7196 7067 55</p> <p>2. Article Number (Transfer from service label) 7019 0140 0000 9363 0010</p>		<p>A. Signature Xenia Blackwood <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) NOV 18 2019</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Mail Restricted Delivery</p>		<p><input type="checkbox"/> Priority Mail Express</p> <p><input type="checkbox"/> Registered Mail</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

USPS TRACKING ERY	
 <p>9590 9402 3312 7196 7067 55</p>	<p>First-Class Mail Postage & Fees Paid USPS Permit No. G-10</p>
<p>United States Postal Service</p>	<p>• Sender: Please print your name, address, and ZIP+4® in this box*</p> <p>Lamar Co. Circuit Clerk P.O. Box 434 Vernon, AL 35592</p>
	

U.S. Postal Service™

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
- ☐ Return Receipt (electronic) \$
- ☐ Certified Mail Restricted Delivery \$
- ☐ Adult Signature Required \$
- ☐ Adult Signature Restricted Delivery \$

Postmark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Air Methods, Corp / AL Lifesaver

Street and Apt. No., or PO Box No.

2 N Jackson St #605

City, State, Zip+4

Montgomery, AL 36104

CV 199-45

0100 E9E6 0000 0410 6102

STATE OF ALABAMA

Revised 3/5/08

Cas

Unified Judicial System

40-LAMAR

☐ District Court ☒ Circuit Court

CV21



ELECTRONICALLY FILED
12/12/2019 3:27 PM
40-CV-2019-900045.00
CIRCUIT COURT OF
LAMAR COUNTY, ALABAMA
MARY ANN JONES, CLERK

LISA RENEE SPRUIELL AS PERSONAL
REPRESENTATIVE OF JAMES LAWSON SPRUIEL

CIVIL MOTION COVER SHEET

Name of Filing Party: C001 - DECEASED LISA RENEE SPRUIELL AS
PERSONAL REPRESENT
C002 - AULD, III, DECEASED KIMBERLY AULD,
AS PERSONAL REP

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.

MATTHEW BEN LEDUKE

P.O. Box 819

HAMILTON, AL 35570

Attorney Bar No.: LED010

☐ Oral Arguments Requested**TYPE OF MOTION****Motions Requiring Fee**

- ☐ Default Judgment (\$50.00)
Joinder in Other Party's Dispositive Motion
(i.e. Summary Judgment, Judgment on the Pleadings,
or other Dispositive Motion not pursuant to Rule 12(b))
(\$50.00)
- ☐ Judgment on the Pleadings (\$50.00)
- ☐ Motion to Dismiss, or in the Alternative
Summary Judgment (\$50.00)
- Renewed Dispositive Motion (Summary
Judgment, Judgment on the Pleadings, or other
Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
- ☐ Summary Judgment pursuant to Rule 56 (\$50.00)
- ☐ Motion to Intervene (\$297.00)
- ☒ Other Verified Application to Practice Pro Hac Vice
pursuant to Rule VII of the Rules Governing Admission to the State Bar (\$325.00)

*Motion fees are enumerated in §12-19-71(a). Fees
pursuant to Local Act are not included. Please contact the
Clerk of the Court regarding applicable local fees.

☐ Local Court Costs \$ 0

Motions Not Requiring Fee

- ☐ Add Party
- ☐ Amend
- ☐ Change of Venue/Transfer
- ☐ Compel
- ☐ Consolidation
- ☐ Continue
- ☐ Deposition
- ☐ Designate a Mediator
- ☐ Judgment as a Matter of Law (during Trial)
- ☐ Disburse Funds
- ☐ Extension of Time
- ☐ In Limine
- ☐ Joinder
- ☐ More Definite Statement
- ☐ Motion to Dismiss pursuant to Rule 12(b)
- ☐ New Trial
- ☐ Objection of Exemptions Claimed
- ☐ Pendente Lite
- ☐ Plaintiff's Motion to Dismiss
- ☐ Preliminary Injunction
- ☐ Protective Order
- ☐ Quash
- ☐ Release from Stay of Execution
- ☐ Sanctions
- ☐ Sever
- ☐ Special Practice in Alabama
- ☐ Stay
- ☐ Strike
- ☐ Supplement to Pending Motion
- ☐ Vacate or Modify
- ☐ Withdraw
- ☐ Other _____
- pursuant to Rule _____ (Subject to Filing Fee)

Check here if you have filed or are filing contemporaneously
with this motion an Affidavit of Substantial Hardship or if you
are filing on behalf of an agency or department of the State,
county, or municipal government. (Pursuant to §6-5-1 Code
of Alabama (1975), governmental entities are exempt from
prepayment of filing fees) ☐

Date:
12/12/2019 3:10:07 PM

Signature of Attorney or Party
/s/ MATTHEW BEN LEDUKE

**Motions titled 'Motion to Dismiss' that are not pursuant to Rule 12(b) and are in fact Motions for Summary Judgments are subject to filing fee.



ELECTRONICALLY FILED
12/12/2019 3:27 PM
40-CV-2019-900045.00
CIRCUIT COURT OF
LAMAR COUNTY, ALABAMA
MARY ANN JONES, CLERK

LISA RENEE SPRUIELL, Individually and as
personal representative of the heirs and estate
of JAMES LAWSON SPRUIELL, deceased;
and KIMBERLY AULD, Individually and as
personal representative of the heirs and estate
of JOHN WESLEY "TREY" AULD, III,
deceased,

Plaintiff

40-CV-2019-900045.00

Case No.

VS.

Lamar County

(Court or Administrative Agency)

AIR METHODS, CORP., a Delaware
Corporation, dba ALABAMA LIFE
SAVER

Defendant

**VERIFIED APPLICATION FOR ADMISSION
TO PRACTICE UNDER RULE VII OF THE
RULES GOVERNING ADMISSION TO THE ALABAMA STATE BAR**

Comes now Alan W. Mortensen, applicant
herein, and respectfully represents the following:

1. Applicant resides at 157 W. 300 S.,

Street Address

Bountiful,

Davis,

Utah,

City

County

State

84010,

801-556-6867,

[REDACTED],

Zip Code

Telephone

Social Security Number

2. Applicant is an attorney and a member of the law firm of (or practices law
under the name of) Dewsnup, King, Olsen, Worel, Havas & Mortensen, with

offices at 36 South State Street, Suite 2400,

Salt Lake City,

Street Address

City

Salt Lake,

Utah,

84111,

801-533-0400,

County

State

Zip Code

Telephone

amort@dkowlaw.com

E-mail

3. Applicant has been retained personally or as a member of the above named law firm by Michael Worel to provide legal representation in connection with the above-styled matter now pending before the above-named court or administrative agency of the State of Alabama.

4. Since October 19 of 19/20 93, applicant has been, and presently is, a member in good standing of the Bar of the highest court of the State of Utah, where applicant regularly practices law **ATTACH A CERTIFICATE OF GOOD STANDING.**

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states.)

Court:	Date Admitted:
U.S. Supreme Court	11/4/13
U.S. Court of Appeal 10th District	10/29/93
State Bar of Colorado	7/7/95
State Bar of Wyoming	9/2/94

Applicant is presently a member in good standing of the Bars of those courts listed above, except as may be listed below: (Here list any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

6. Applicant presently is not subject to any disbarment proceedings, except as provided below (give particulars, e.g., jurisdiction, court, date):

7. Applicant presently is not subject to any suspension proceedings, except as provided below (give particulars, e.g., jurisdiction, court, date):

8. Applicant never has been subject to any disbarment proceedings, except as provided below (give particulars, e.g., jurisdiction, date of proceedings, court, date of reinstatement):

9. Applicant never has been subject to any suspension proceedings, except as provided below (give particulars, e.g., jurisdiction, date of proceedings, court, date of reinstatement):

10. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

11. Applicant, either by resignation, withdrawal, or otherwise, never has terminated or attempted to terminate applicant's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings.

12. Applicant or a member of applicant's firm has filed applications(s) to appear as counsel under Rule VII during the past three (3) years in the following matters:

Date of Application	Name of Applicant	Case No. and Style of Case	Court or Admin. Body	Application Granted/Denied
11/1/19	Lance L. Milne	CV-2018-902653.00, Comalander v. Canale, et al.	Mobile County	Pending

(If necessary, please attach statement of additional applications.)

13. Local counsel of record associated with applicant in this matter is
Michael Worel

who has offices at 36 South State Street, Suite 2400

Salt Lake City, Salt Lake, Utah, Alabama,
City County

84111, 801-533-0400, mworel@dkowlaw.com
Zip Code Telephone E-mail

14. The following list accurately states the name and address of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the name and address of each counsel of record who has appeared for each party:

Name of Party	Mailing Address
Lisa Renee Spruiell	PO Box 495, Sulligent, AL 35586
Kimberly Auld	626 Pelican Pl., Shreveport, LA 71101
Air Metholds, Corp. dba Alabama Life Saver	7301 S. Peoria Street, Englewood, CO 80112

(Item 14, Continued)

Name of Counsel: Dewsnup King Olsen Worel Havas Mortensen Party Represented: Lisa Spruiell

Mailing Address and E-mail: 36 South State Street, Suite 2400
Salt Lake City, UT 84111
mworel@dkowlaw.com

Name of Counsel: Dewsnup King Olsen Worel Havas Mortensen Party Represented: Kimberly Auld

Mailing Address and E-mail: 36 South State Street, Suite 2400
Salt Lake City, UT 84111
mworel@dkowlaw.com

Name of Counsel: _____ Party Represented: _____

Mailing Address and E-mail: _____

Name of Counsel: _____ Party Represented: _____

Mailing Address and E-mail: _____

Name of Counsel: _____ Party Represented: _____

Mailing Address and E-mail: _____

(If necessary, please attach list of additional attorney's)

15. Applicant agrees to comply with the provisions of the Alabama Rules of Professional Conduct, and applicant consents to the jurisdiction of the courts and the disciplinary boards of the State of Alabama.

16. Applicant respectfully requests to be admitted to practice in the above named court or administrative agency for this cause only.

DATED this 27th of November, 20 19.



APPLICANT

STATE OF Utah)

COUNTY OF Salt Lake)

I, Alan W. Mortensen, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof, and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.



APPLICANT

Subscribed and Sworn to before me this

27th day of November, 20 19.




NOTARY PUBLIC

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rule VII of the Rules Governing Admission to the Alabama State Bar.

DATED this 12th day of December, 20 19.

Matt C. Dulke
LOCAL COUNSEL

NOTICE OF HEARING

This application for admission is set for hearing by the court or administrative agency in the style hereof on the 10th day of Jan., 20 20.

Matt C. Dulke
LOCAL COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that I have filed this application and fees with the Alabama State Bar:

☒ **Civil** PHV Motions: via **Alafile** (Including \$300 electronic filing fee/\$25 electronic CSF Assessment)

☐ **Criminal** PHV Motions: via USPS to Alabama State Bar, PHV Regulatory Office, PO Box 671, Montgomery, AL 36101, accompanied by **two separate checks** (\$300 filing fee/\$25 CSF Assessment) (Must be filed with the Bar at least 21 days prior to PHV hearing date provided above)

On this the 12th day of December, 20 19.

Matt C. Dulke
LOCAL COUNSEL



Utah State Bar®

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834

Telephone: 801-531-9077 • Fax: 801-531-0660

<http://www.utahbar.org>

John C. Baldwin
Executive Director

Board of Bar Commissioners

Herm Olsen
President
Hillyard Anderson & Olsen
Logan

Heather M. Farnsworth
President-elect
Match & Farnsworth
Salt Lake City

John W. Bradley
Utah Attorney General's Office
Ogden

Steven R. Burt, AIA
Public Member
Entelen Design Build
Salt Lake City

Mary Kay Griffin, CPA
Public Member
Mayer Hoffman McCann
Salt Lake City

Chrystal Mancuso-Smith
Pia Anderson Moss Hoyt
Salt Lake City

Marty E. Moore
Peck Hadfield Baxter & Moore
Logan

Mark O. Morris
Snell & Wilmer
Salt Lake City

Mark W. Pugsley
Ray Quinney & Nebeker
Salt Lake City

Michelle Quist
Kunzler Bean & Adamson
Salt Lake City

Thomas W. Seiler
Robinson Seiler Anderson & Fife
Provo

Cara M. Tangaro
Tangaro Law Firm
Salt Lake City

Heather L. Thuet
Christensen & Jensen
Salt Lake City

Kristin K. Woods
Attorney at Law
St. George

This document expires 60 days from the date of issuance

Friday, November 15, 2019

To Whom It May Concern:

Re: CERTIFICATE OF GOOD STANDING for Alan W. Mortensen

This is to certify that Alan W. Mortensen, Utah State Bar No. 00006616 and was admitted to practice law in Utah on 10/19/1993.

Alan W. Mortensen is currently an ACTIVE member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

Elizabeth A. Wright

Elizabeth A. Wright
General Counsel
Utah State Bar





ELECTRONICALLY FILED
12/16/2019 12:22 PM
40-CV-2019-900045.00
CIRCUIT COURT OF
LAMAR COUNTY, ALABAMA
MARY ANN JONES, CLERK



STATEMENT

The following information, in response to the application of petitioner, is furnished in compliance with Rule VII, Rules Governing Admission to the Alabama State Bar (*Pro Hac Vice*):

PETITIONER: Mr. Alan W. Mortensen
Dewsnup King Olsen Worel Havas & Mortensen
36 S State St Ste 2400
Salt Lake City, UT 84111-0000

CURRENT APPLICATION:

Date Application Received:	December 12, 2019
Case No.:	40-CV19-900045
Style:	Lisa Renee Spruiell, etc v. Air Methods Corp
Court/Agency:	Circuit Court of Lamar County
Date of Hearing:	January 10, 2020

LOCAL COUNSEL: Mr. Matthew Ben LeDuke
Lowe Mobley Lowe & LeDuke
PO Box 819
Hamilton, AL 35570-0819

APPLICATIONS FOR RULE VII ADMISSION HAVE BEEN MADE BY ABOVE PETITIONER OR OTHER ATTORNEY MEMBERS OF PETITIONER'S FIRM IN THE PRECEDING THREE YEARS AS LISTED:

See Attached

s/Cathy Sue McCurry

PHV Clerk

December 16, 2019



Lawyers Render Service

Dewsnup King Olsen Worel Havas & Mortensen

Dates reported: December 12, 2016 - December 12, 2019

Applicant	Date App Received	Case	Court	G/D/P/M
Lance L. Milne	11/06/2019	02-CV18-902653	Circuit Court of Mobile County	Pending
Alan W. Mortensen	12/12/2019	40-CV19-900045	Circuit Court of Lamar County	Pending